

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60295 of 2022

Arising Out of PS. Case No.-157 Year-2021 Thana- BIHTA District- Patna

SHIV KUMAR GUPTA @ SHIV SAO Son of Ram Babu Sao Resident of
Village - Kanhauli, P.S.- Bihta, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoranjan Kumar, Advocate
For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-02-2023 Heard learned counsel for the petitioner and the
learned APP for the State

The petitioner apprehends his arrest in connection
with Bihta P.S. Case No.157 of 2021 instituted under Sections
304(B), 34 IPC.

As per the prosecution story, the informant alleged
that the deceased was married to Sonu Kumar, but was tortured
for dowry and on the fateful day he came to know about her
death. As the injuries were visible on her person, the FIR was
lodged.

Learned counsel for the petitioner submits that he is
the father-in-law, having no criminal antecedent, the husband is
in custody since 03.08.2022 (as stated in para-12 of the
petition).

Learned APP on the other hand opposes the prayer for



anticipatory bail stating that it is a case of dowry death.

Considering the fact that the petitioner do not have criminal antecedent, is the father-in-law and the husband is in custody, this Court is inclined to grant him privilege of anticipatory bail.

Let the petitioner be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Bihta P.S. Case No.157 of 2021 to the satisfaction of learned A.C.J.M.,Ist, Danapur, Patna, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions that:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner will make himself available to the police as and when required in course of investigation;

(iii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;



(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /-

U		T	
---	--	---	--

